

## **REMARKS/ARGUMENTS**

### **I. Introduction:**

Claims 1, 4, 9, 12, 17, 20, 25, 28, 33 are amended and new claims 37-40 are added herein. With entry of this amendment, claims 1-40 will be pending.

The invention relates to separating a mobile switching center (MSC) into two entities – a mobile control function (MCF) and a call agent (CA). There are many advantages to this distributed architecture. For example, the CA need not be specifically developed for mobile applications, new calling features can be implemented without requiring a redesign of the MSC, and the MCF and CA can be made by different vendors (page 10, line 19 et seq.).

### **II. Claim Rejections – 35 U.S.C. 102:**

Claims 1-36 stand rejected under 35 USC 102(e) as allegedly being anticipated by U.S. Patent No. 6,628,943, issued September 30, 2003 to Agrawal et al. (hereinafter “Agrawal”).

Applicants respectfully submit that claims 1-40, as amended, are not anticipated by Agrawal.

Agrawal is directed to utilizing active packets to setup an agent in order to reduce the amount of wireless traffic. Fig. 3 illustrates transmissions between mobile terminals, gatekeepers, and agents of the gatekeeper. An admission request (ARQ) is sent from mobile terminal 301 to gatekeeper A to request access to a zone controlled by the gatekeeper. The gatekeeper then sends an admission confirmation (ACF) to the mobile terminal. Location request (LRQ) and location confirmation (LCF) messages are transmitted between gatekeeper A and gatekeeper B. Mobile terminals 301 and 302 exchange setup (200-5), call proceeding (200-6), and connect (200-9) messages. Agents of the gatekeepers exchange messages 200-10 through 200-17 which are used for capability exchange, master-slave determination, and to open logical channel for direct communication between the terminals.

Claim 1 has been amended to clarify that the mobile control function is performed in a separate entity from the call agent and communication between the mobile control function and call agent is performed via an IP control protocol.

Agent 304 of Agrawal is within the entity of the gatekeeper and in fact, the agent instructs the gatekeeper to execute programs that are already stored on the gatekeeper (col. 8, lines 1-4). The gatekeeper does not exchange call information with a call agent associated with a call of a mobile station.

Furthermore, Agrawal does not disclose a call agent which performs call control operations comprising call setup and connection, as set forth in amended claim 1.

In the Response to Arguments in the final Office Action, the Examiner cites col. 5, line 40 - col. 6, line 31 as disclosing a gatekeeper comprised of agents that perform different call control operations. This section of the patent describes the transmissions depicted on Fig. 3. As discussed above, after a location confirmation and admission confirmation are received, terminal 201 initiates a call SETUP to terminal 202 (step 200-5 of Fig. 3, col. 6, lines 18-19). The steps of call setup, call proceeding, and connect are all performed between the mobile terminals and not by the agent of Agrawal. Thus, the claimed call agent does not read on agent 304 in Agrawal.

Accordingly, claim 1 is submitted as not anticipated by Agrawal. Claims 2-3 and 40, depending from claim 1, are submitted as patentable for at least the same reasons as claim 1.

Claim 9 is directed to a computer program product for operating a mobile control function and claims 17 and 25 are directed to an apparatus for operating a mobile control function. Claims 9, 17, and 25, as amended, and the claims depending therefrom, are submitted as patentable for the reasons discussed above with respect to claim 1.

Claim 4 is directed to a method of operating a call agent, claim 12 is directed to a computer program product for operating a call agent, and claims 20 and 28 are directed to an apparatus for operating a call agent. Claims 4, 20, and 28 have been amended to clarify that the mobile control function is a separate entity from the call agent and that the call agent performs call setup and connection. Accordingly, claims 4, 20, and 28 are submitted as not anticipated by Agrawal for the same reasons as claim 1.

Claim 33 has been amended to clarify that the mobile control function and call agent are separate entities and is also submitted to be patentable for the reasons discussed above with respect to claim 1. Claims 34-39, depending from claim 33, are submitted as patentable for at least the same reasons as claim 33.

Claims 5 and 29 are further submitted as patentable over Agrawal which does not disclose a first mobile control function which continues to maintain call state information for a mobile station while a second mobile control function maintains connection information for the mobile station following a shift of responsibility for mobility management of the mobile station from the first mobile control function to the second mobile control function. In rejecting claims 5 and 29, the Examiner cites col. 18, lines 37-55 of the Agrawal patent. This section of the patent discusses intra-domain handoff and channeling messages from a mobile terminal to an old gatekeeper. There is no discussion of maintaining call state information for a mobile station at a first mobile control function while maintaining connection information for the mobile station at a second mobile control function.

### III. Conclusion:

For the foregoing reasons, Applicants believe that all of the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite prosecution of the application, please do not hesitate to call the undersigned at (408) 399-5608.

Respectfully submitted,



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